

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

-v-

\$8,040.00 United States Currency,
Defendants.
CRISTAL STARLING,
Claimant.

21-cv-06323-CJS
USCA:

**CLERK'S CERTIFICATE /
INDEX**

I, MARY C. LOEWENGUTH, Clerk of the U.S. District Court for the Western District of New York, DO HEREBY CERTIFY that the foregoing docket entries, with the exception of any documents listed below, are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the above entitled action.

The following documents are not available electronically and are maintained in the Western District of New York:

Docket No. N/A

Upon your request, we will make the above documents available to you.

MARY C. LOEWENGUTH
Clerk of Court
United States District Court

By: s/ Tricia M. Frisa

Deputy Clerk

DATED: March 25, 2022
Rochester, NY

APPEAL

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Rochester)
CIVIL DOCKET FOR CASE #: 6:21-cv-06323-CJS

United States of America v. \$8,040.00 United States Currency
Assigned to: Hon. Charles J. Siragusa
Cause: 21:881 Forfeiture Property-Drugs

Date Filed: 04/16/2021
Date Terminated: 02/08/2022
Jury Demand: None
Nature of Suit: 690 Forfeit/Penalty: Other
Jurisdiction: U.S. Government Plaintiff

Date Filed	#	Docket Text
04/16/2021	<u>1</u>	COMPLAINT against \$8,040.00 United States Currency, filed by United States of America. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Supplement Arrest Warrant in rem)(Carducci, Grace) (Entered: 04/16/2021)
04/19/2021		Case assigned to Hon. Charles J. Siragusa. Notification to Chambers of on-line civil opening. (TF) (Entered: 04/19/2021)
04/19/2021		Notice of Availability of Magistrate Judge: A United States Magistrate of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form (AO-85) is available for download at http://www.uscourts.gov/services-forms/forms . (TF) (Entered: 04/19/2021)
04/19/2021	<u>2</u>	Notice of Complaint for Forfeiture Against Real Property/Arrest Warrant in Rem Issued (TF) (Entered: 04/19/2021)
06/22/2021	<u>3</u>	WARRANT IN REM Returned executed on 6/22/2021 as to US Currency DEA, Rochester, NY.(TF) (Entered: 06/23/2021)
07/26/2021	<u>4</u>	CERTIFICATE OF SERVICE by United States of America (Carducci, Grace) (Entered: 07/26/2021)
08/20/2021	<u>5</u>	DECLARATION filed by United States of America <i>Declaration of Publication</i> . (Carducci, Grace) (Entered: 08/20/2021)
08/20/2021	<u>6</u>	REQUEST for Clerk's Entry of Default by United States of America against \$8,040.00 United States Currency. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Carducci, Grace) (Entered: 08/20/2021)
08/24/2021	<u>7</u>	Clerk's ENTRY OF DEFAULT as to \$8,040.00 United States Currency (TF) (Entered: 08/24/2021)
09/03/2021	<u>8</u>	First MOTION for Entry of Default against \$8,040.00 United States Currency by United States of America. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Carducci, Grace) (Entered: 09/03/2021)
11/30/2021	<u>9</u>	CLAIM by Cristal Starling. (JHF) (Entered: 11/30/2021)
12/03/2021	<u>10</u>	MEMORANDUM/BRIEF by Cristal Starling. (JHF) (Entered: 12/03/2021)

12/15/2021	11	First MOTION to Strike <i>Late Claim and Answer</i> by United States of America. (Carducci, Grace) (Entered: 12/15/2021)
12/16/2021	12	TEXT MOTION SCHEDULING ORDER re: First MOTION to Strike Late Claim and Answer filed by United States of America. ECF No. 11. Claimant Cristal Starling filed a claim [ECF No. 9] to the currency at issue on 11/30/21. The United States filed a motion to strike the claim [ECF No. 11] on 12/15/21. Claimant Cristal Starling must file and serve her response, if any, no later than 1/14/22. Signed by Hon. Charles J. Siragusa on 12/16/21. Copy of this NEF mailed to Cristal Starling at 466 1/2 West Main Street, Apt. 401, Rochester, NY 14608.. Signed by Hon. Charles J. Siragusa on 12/16/21. (KAP) (Entered: 12/16/2021)
01/04/2022	13	RESPONSE to re 11 First MOTION to Strike filed by Cristal Starling. (JHF) (Entered: 01/04/2022)
01/04/2022	14	LETTER RESPONSE WITH CERT OF SERVICE to Motion re 11 First MOTION to Strike <i>Late Claim and Answer</i> filed by Cristal Starling. (TF) (Entered: 01/05/2022)
01/07/2022	15	REPLY/RESPONSE to re 13 Reply/Response to Answer in Opposition to Motion filed by United States of America. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Carducci, Grace) (Entered: 01/07/2022)
01/10/2022	16	CERTIFICATE OF SERVICE by United States of America (Carducci, Grace) (Entered: 01/10/2022)
01/11/2022	17	REPLY to Response to Motion re 11 First MOTION to Strike <i>Late Claim and Answer</i> filed by Cristal Starling. (TF) (Entered: 01/12/2022)
02/03/2022	18	DECISION AND ORDER granting 8 Motion for Entry of Default; granting 11 Motion to Strike 8 First MOTION for Entry of Default against \$8,040.00 United States Currency , 11 First MOTION to Strike <i>Late Claim and Answer</i> . ORDERED that the government's motion [ECF No. 11] to strike the claim of Cristal Starling is granted; and it is further ORDERED that the government's motion [ECF No. 8] for default judgment is granted; and it is further ORDERED that the defendant \$8040.00 United States currency is forfeited to the United States of America pursuant to 21 U.S.C. § 881(a)(6), and any claims to the defendant currency are forever barred. Signed by Hon. Charles J. Siragusa on 2/3/22. Copy of this NEF and order mailed to pro se claimant at 466 1/2 West Main Street, Apt. 401, Rochester, NY 14608 (KAP) -CLERK TO FOLLOW UP- (Entered: 02/03/2022)
02/08/2022	19	DEFAULT JUDGMENT in favor of United States of America against \$8,040.00 United States Currency. Signed by Clerk of Court on 2/8/2022. Copy of this NEF and judgment mailed to pro se claimant at 466 1/2 West Main Street, Apt. 401, Rochester, NY 14608.(TF) (Entered: 02/08/2022)
02/10/2022	20	US Marshal's NOTICE of Disposal as to \$8,040.00. (TF) (Entered: 02/11/2022)
03/24/2022	21	NOTICE OF APPEAL as to 19 Default Judgment, by Cristal Starling. Filing fee \$ 505, receipt number ROC013358. (TF) (Entered: 03/25/2022)